

FILED
JUN 27 2008RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**Name ROSENBAUM VINCENT LEE
(Last) (First) (Initial)Prisoner Number 2069375Institutional Address 2100 NAPA VALLEJO HIGHWAY NAPA, CA 94558UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAVINCENT LEE ROSENBAUM
(Enter the full name of plaintiff in this action.)

vs.

JUDGE CLAYTON BRENNAN
SHERIFF THOMAS ALLMAN
EO FOULK-DIRECTOR NAPA STATE
Hospital
(Enter the full name of the defendant(s) in this action.)Case No. 08 3127
(To be provided by the Clerk of Court)COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
Title 42 U.S.C § 19831915 (g)
28 U.S.C.

E-filing

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies.

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]A. Place of present confinement NAPA STATE Hospital

B. Is there a grievance procedure in this institution?

YES (✓) NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES () NO (✓)

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why. HAPPENED IN UKIAH

008-3127 SI

1. Informal appeal COURT TOLD THE JUDGE YOU
CANNOT HAVE A HEARING WITH ME
NO LAWYER, NO WITNESSES
2. First formal level COURT OF APPEAL FIRST
DISTRICT
RULED PREJUDICIAL ERROR, STATE CONCEDED
3. Second formal level SUPREME COURT OF CALIFORNIA
(PENDING APPEAL)
4. Third formal level U.S. DISTRICT COURT

E. Is the last level to which you appealed the highest level of appeal available to you?

YES (✓)

NO ~~OF (COURT) (U.S. SUPREME)~~

F. If you did not present your claim for review through the grievance procedure, explain why. THE GRIEVANCE PROCEDURE AT THE
HOSPITAL COVERS HOSPITAL EVENTS
NOT COURT IN ANOTHER COUNTY

II. Parties.

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

VINCENT LEE ROSENBAUM
2100 NAPA VALLEJO HIGHWAY
NAPA, CA 94558

B. Write the full name of each defendant, his or her official position, and his or her place of employment.

JUDGE CLAYTON BRENNAN, SUPERIOR COURT JUDGE

SHERIFF OF MENDOCINO COUNTY THOMAS ALLMAN
ED FOULK - EXECUTIVE DIRECTOR NAPA STATE
Hospital

III. Statement of Claim.

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

- 1) JUDGE BRENNAN DENIED ME A HEARING
BECAUSE I HAD NO LAWYER OR WITNESSES
YET SIGNED A COURT ORDER TO DRUG ME
ILLEGALLY WITH FALSE DOCTORS REPORTS
AND NO HEARING. IF MY RIGHTS TO
EXAMINE AND CROSS-EXAMINE WITNESSES
WAS UP HELD, NO COURT ORDER WOULD BE SIGNED
- 2) I TOLD JUDGE BRENNAN I COULD NOT
HAVE A HEARING WITH NO LAWYER.
BY SIGNING A COURT ORDER TO DRUG
ME WITH NO LAWYER MY 6TH AMEND-
MENT RIGHTS WERE VIOLATED AND 14TH
- 3) Attempt to kill me AND DRUG ME

IV. Relief.

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

RESTITUTION FOR DRUGGING ME ILLEGALLY
RELEASE FROM ILLEGAL CUSTODY
HELD WITH MEDICAL WHEN RELEASED

1 A SUMMARY JUDGMENT OF \$5 million
2 DOLLARS BE GRANTED FOR ALL THE
3 CRIMES COMMITTED AGAINST ME!
4 APOLOGY FROM JUDGE BRENNAN!

5 I declare under penalty of perjury that the foregoing is true and correct.

6
7 Signed this 26 day of MAY, 2008

8
9 Vincent Rosebalm

10 (Plaintiff's signature)

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 **INSTRUCTIONS FOR PRISONER'S**
IN FORMA PAUPERIS APPLICATION

4 You must submit to the court a completed Prisoner's In Forma Pauperis Application if
5 you are unable to pay the entire filing fee at the time you file your complaint or petition. Your
6 application must include copies of the prisoner trust account statement showing transactions
for the last six months and a certificate of funds in prisoner's account, signed by an authorized
officer of the institution.

7 **A. Non-habeas Civil Actions**

8 Effective April 9, 2006, the filing fee for any civil action other than a habeas is
9 \$350.00. Even if you are granted leave to proceed in forma pauperis, you must still pay the
full amount of the court's filing fee, but the fee will be paid in several installments. 28 U.S.C.
§ 1915.

10 You must pay an initial partial filing fee of 20 percent of the greater of (a) the average
11 monthly deposits to your account for the 6-month period immediately before the complaint
was filed or (b) the average monthly balance in your account for the 6-month period
12 immediately before the complaint was filed. The court will use the information provided on
the certificate of funds and the trust account statement to determine the filing fee immediately
13 due and will send instructions to you and the prison trust account office for payment if in
forma pauperis status is granted.

14 After the initial partial filing fee is paid, your prison's trust account office will forward
15 to the court each month 20 percent of the most recent month's income to your prison trust
account, to the extent the account balance exceeds ten dollars (\$10.00). Monthly payments
16 will be required until the full filing fee is paid. If you have no funds over ten dollars (\$10.00)
in your account, you will not be required to pay part of the filing fee that month.

17 **If your application to proceed in forma pauperis is granted, you will be liable for**
18 **the full \$350.00 filing fee even if your civil action is dismissed. That means the court will**
19 **continue to collect payments until the entire filing fee is paid. However, if you do not**
20 **submit this completed application the action will be dismissed without prejudice and the**
filing fee will not be collected.

21 **B. Habeas Actions**

22 The filing fee for a habeas action is \$5.00. If you are granted leave to proceed in
forma pauperis you will not be required to pay any portion of this fee. If you are not granted
23 leave to proceed in forma pauperis you must pay the fee in one payment and not in
installments. **If you use a habeas form to file a non-habeas civil action, you will be**
24 **required to pay the \$350.00 filing fee applicable to all non-habeas civil actions.**

PROOF OF service

6/18/08

I am Vincent Rosenbalm an American Citizen over 18 years of age.

ON 6/18/08 I served the within

1) (2) 42 U.S.C. 1983 complaints

2) Financial Attachments

By placing a sealed envelope in
the Napa State Hospital mail
Addressed Court Clerk

U.S. District Court
450 Golden Gate Ave

SAN FRANCISCO, CA 94102

From

Vincent Rosenbalm

2100 Napa Valley Highway

Napa, CA 94558

Under the Penalty of Perjury
this is true and correct to the
best of my knowledge.

Vincent
Rosenbalm